

UNITED STATES BANKRUPTCY COURT

FOR THE

**EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

In the Matter of:

WILLIE JAMES ALLEN JR.

Debtor

Chapter 13

Case No. 18-14191-KHK

MOTION TO DISMISS,
NOTICE OF MOTION TO DISMISS
AND
NOTICE OF SCHEDULED HEARING ON THIS MOTION

Thomas P. Gorman, Chapter 13 Trustee, has filed this motion to dismiss your Chapter 13 case. The cause for this motion is as follows:

Pursuant to 11 U.S.C. §1307(c)(6) - Material default by Debtor as is reflected in the attached Trustee's Report of Receipts and Disbursements.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not wish the court to grant the relief sought in the motion, or if you want the court to consider your views on the motion, then on or before five business days prior to the hearing date, you or your attorney must:

File with the court a written response with supporting memorandum as required by Local Bankruptcy Rule 9013-1(H). Unless a written response and supporting memorandum are filed and served by the date specified, the Court may deem any opposition waived, treat the motion as conceded, and issue an order granting the requested relief without further notice or hearing. If you mail your response to the court for filing, you must mail it early enough so the court will receive it on or before five business days prior to the scheduled hearing. You must mail a copy to the persons listed below.

Attend the hearing to be held on July 9, 2020 at 1:30 p.m., in Courtroom III on the 3rd floor, United States Bankruptcy Court, 200 South Washington Street, Alexandria,

Notice and Motion to Dismiss

Willie James Allen Jr., Case #18-14191-KHK

VA 22314. If no timely response has been filed opposing the relief requested, the court may grant the relief without holding a hearing.

A copy of any written response must be mailed to the following persons:

Thomas P. Gorman
300 North Washington Street, Ste.400
Alexandria, VA 22314

Clerk of the Court
United States Bankruptcy Court
200 South Washington Street
Alexandria, VA 22314

If you or your attorney do not take steps, the court may decide that you do not oppose the relief sought in the motion and may enter an order granting that relief.

Date: June 10, 2020

/s/ Thomas P. Gorman
Thomas P. Gorman
Chapter 13 Trustee
300 N. Washington Street, #400
Alexandria, VA 22314
(703) 836-2226
VSB 26421

CERTIFICATE OF SERVICE

I hereby certify that I have this 10th day of June, 2020, served via ECF to authorized users or mailed a true copy of the foregoing Motion to Dismiss, Notice of Motion and Notice of Hearing to the following parties.

Willie James Allen Jr.
Chapter 13 Debtor
15579 John Diskin Circle
Woodbridge, VA 22191

Nathan Fisher, Esq.
Attorney for Debtor
Fisher-Sandler, LLC.
3977 Chain Bridge Rd. #2
Fairfax, VA 22030

/s/ Thomas P. Gorman
Thomas P. Gorman

CASE NO: 18-14191-KHK

STATUS: BASE PLAN

DEBTOR: XXX-XX-6804

ALLEN JR., WILLIE JAMES

AKA:

SCHEDULE: 1,125.00 MONTHLY

TOTAL PAID: 14,345.00

DATE FILED: 12/15/2018 15579 JOHN DISKIN CIRCLE

CONFIRMED: 09/24/2019 WOODBRIDGE, VA 22191

LATEST 341: 01/22/2019

PERCENTAGE: 16.000

ATTORNEY: NATHAN FISHER, ESQ.

FISHER-SANDLER, LLC

3977 CHAIN BRIDGE RD. #2

FAIRFAX, VA 22030

Phone: 703 691-1642 Fax: 703 691-0192

PLAN: 60 MONTHS

1st PAYMENT DUE: 01/2019

ON SCHEDULE: 16,365.00

Needed to Complete Base:

ACTUAL PAYMENTS: 14,345.00

BASE: 64,740.00

AMOUNT BEHIND: 2,020.00

50,395.00

LAST 12 TRANSACTIONS

Date	Source	Amount
06/05/20	PC	1,125.00
04/27/20	PC	1,125.00
03/16/20	PC	1,125.00
02/05/20	PC	1,125.00
12/09/19	PC	895.00
12/05/19	RETURNED FUNDS	(895.00) NSF
12/02/19	PC	895.00
11/01/19	PC	895.00
09/30/19	PC	895.00
09/04/19	PC	895.00
08/01/19	PC	895.00
07/01/19	PC	895.00
06/03/19	PC	895.00
04/30/19	PC	895.00

PLAN AND FILED CLAIMS

CLAIM NO	CRED NO	CREDITOR NAME CLAIM REMARK	DISB CODE LAST DISB	CLASS PAY%	INT. BEGIN INT. RATE	FIX PAY ARREARS	ORG. CLAIM SCHED AMT	APPROVED TO BE PAID	PRIN. PAID INT. PAID	PRIN. DUE INT. DUE
001	349761	ANGELA MASTERS	PRO	PRI 100.00		0.00 0.00	0.00 0.00	0.00 0.00	0.00 0.00	Not Filed
002	346086	TREASURER OF VIRGINIA	PRO 06/2020	PRI 100.00		0.00 0.00	11,571.56 11,571.56	11,571.56 11,571.56	11,571.56 0.00	0.00 0.00
003	336674	WELLS FARGO BANK NA	FIX	SEC 100.00		300.00 5,100.00	15,492.50 15,492.50	15,492.50 15,492.50	0.00 0.00	15,492.50 0.00
003A	348799	WELLS FARGO BANK, N.A. R/S ORD 6/7/19 - PLAN? YES POC?YES	FIX	SEC 100.00		112.00 1,904.00	6,704.95 6,704.95	6,704.95 6,704.95	0.00 0.00	6,704.95 0.00
004	345015	ONEMAIN FINANCIAL MOD PLAN PROVIDES	FIX	SEC 100.00		25.00 425.00	582.74 582.74	582.74 582.74	0.00 0.00	582.74 0.00
005	348050	AMERICAN EXPRESS NATIONAL BANK	PRO	UNS 16.00		0.00 0.00	1,383.10 1,383.00	1,383.10 221.30	0.00 0.00	221.30 0.00
006	343570	DEPARTMENT STORE NATIONAL BANK	PRO	UNS 16.00		0.00 0.00	542.70 542.00	542.70 86.83	0.00 0.00	86.83 0.00
007	339784	BANK OF AMERICA, N.A.	PRO	UNS 16.00		0.00 0.00	6,234.34 6,234.00	6,234.34 997.49	0.00 0.00	997.49 0.00
008	343811	BANK OF AMERICA	PRO	UNS 16.00		0.00 0.00	0.00 3,062.00	0.00 0.00	0.00 0.00	Not Filed
009	PORT	PORTFOLIO RECOVERY ASSOCIATES BARCLAY/PRICELINE	PRO	UNS 16.00		0.00 0.00	814.51 814.00	814.51 130.32	0.00 0.00	130.32 0.00
010	323976	CAPITAL ONE BANK USA, NA	PRO	UNS 16.00		0.00 0.00	972.38 972.38	972.38 155.58	0.00 0.00	155.58 0.00
011	323976	CAPITAL ONE BANK USA, NA	PRO	UNS 16.00		0.00 0.00	543.33 543.33	543.33 86.93	0.00 0.00	86.93 0.00
012	345041	CW NEXUS CREDIT CARD HOLDINGS	PRO	UNS 16.00		0.00 0.00	1,774.08 1,774.08	1,774.08 283.85	0.00 0.00	283.85 0.00
013	349762	POWELL'S RUN	PRO	UNS 16.00		0.00 0.00	0.00 1,539.00	0.00 0.00	0.00 0.00	Not Filed
014	349280	CHASE BANK	PRO	UNS 16.00		0.00 0.00	3,062.92 3,062.00	3,062.92 490.07	0.00 0.00	490.07 0.00
015	321302	CHASE	PRO	UNS 16.00		0.00 0.00	0.00 633.00	0.00 0.00	0.00 0.00	Not Filed
016	301568	CREDIT FIRST, NA FIRESTONE	PRO	UNS 16.00		0.00 0.00	1,976.79 2,010.00	1,976.79 316.29	0.00 0.00	316.29 0.00
017	313486	DISCOVER BANK	PRO	UNS 16.00		0.00 0.00	2,186.29 2,186.29	2,186.29 349.81	0.00 0.00	349.81 0.00
018	IRS*	INTERNAL REVENUE SERVICE	PRO	UNS 16.00		0.00 0.00	0.00 12,000.00	0.00 0.00	0.00 0.00	Not Filed
019	332103	CAPITAL ONE, NA KOHLS	PRO	UNS 16.00		0.00 0.00	738.69 738.00	738.69 118.19	0.00 0.00	118.19 0.00
020	LVNV	LVNV FUNDING LLC.	PRO	UNS 16.00		0.00 0.00	1,507.20 1,507.20	1,507.20 241.15	0.00 0.00	241.15 0.00
021	341739	NET CREDIT	PRO	UNS 16.00		0.00 0.00	0.00 7,524.00	0.00 0.00	0.00 0.00	Not Filed
022	345904	ONEMAIN FINANCIAL SECURED?	PRO	UNS 16.00		0.00 0.00	0.00 15,998.00	0.00 0.00	0.00 0.00	Not Filed

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Claims with an A code in the DISB/CODE column are placed on hold and need to be resolved. NO disbursements are being made to the creditor.

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Case Power® 12.5

INTERIM STATEMENT AS OF 06/10/2020

CASE NO: 18-14191-KHK

STATUS: BASE PLAN

DEBTOR: XXX-XX-6804

ALLEN JR., WILLIE JAMES

SCHEDULE: 1,125.00 MONTHLY

PLAN AND FILED CLAIMS

<u>CLAIM NO</u>	<u>CRED NO</u>	<u>CREDITOR NAME</u> <u>CLAIM REMARK</u>	<u>DISB CODE</u> <u>LAST DISB</u>	<u>CLASS</u> <u>PAY%</u>	<u>INT. BEGIN</u> <u>INT. RATE</u>	<u>FIX PAY</u> <u>ARREARS</u>	<u>ORG. CLAIM</u> <u>SCHED AMT</u>	<u>APPROVED</u> <u>TO BE PAID</u>	<u>PRIN. PAID</u> <u>INT. PAID</u>	<u>PRIN. DUE</u> <u>INT. DUE</u>
023	345905	SYNCHRONY BANK AMAZON	PRO	UNS 16.00		0.00 0.00	0.00 4,149.00	0.00 0.00	0.00 0.00	Not Filed
024	338827	MIDLAND FUNDING LLC GAP	PRO	UNS 16.00		0.00 0.00	2,955.13 1,727.00	2,955.13 472.82	0.00 0.00	472.82 0.00
025	PORT	PORTFOLIO RECOVERY ASSOCIATES LOWES	PRO	UNS 16.00		0.00 0.00	2,133.17 2,171.00	2,133.17 341.31	0.00 0.00	341.31 0.00
026	PORT	PORTFOLIO RECOVERY ASSOCIATES SYNCHRONY BANK/QCARD	PRO	UNS 16.00		0.00 0.00	512.22 549.00	512.22 81.96	0.00 0.00	81.96 0.00
027	344854	TIMEPAYMENT CORPORATION LLC LEASE	PRO	UNS 16.00		0.00 0.00	0.00 4,224.00	0.00 0.00	0.00 0.00	Not Filed
028	290440	USAA FEDERAL SAVINGS BANK	PRO	UNS 16.00		0.00 0.00	0.00 10,208.00	0.00 0.00	0.00 0.00	Not Filed
029	290440	USAA FEDERAL SAVINGS BANK	PRO	UNS 16.00		0.00 0.00	0.00 3,358.00	0.00 0.00	0.00 0.00	Not Filed
030	290440	USAA FEDERAL SAVINGS BANK	PRO	UNS 16.00		0.00 0.00	0.00 2,956.00	0.00 0.00	0.00 0.00	Not Filed
031	290440	USAA FEDERAL SAVINGS BANK	PRO	UNS 16.00		0.00 0.00	0.00 1,753.00	0.00 0.00	0.00 0.00	Not Filed
032	290440	USAA FEDERAL SAVINGS BANK	PRO	UNS 16.00		0.00 0.00	0.00 1,216.00	0.00 0.00	0.00 0.00	Not Filed
033	343570	DEPARTMENT STORE NATIONAL BANK MACYS	PRO	UNS 16.00		0.00 0.00	1,707.72 1,707.00	1,707.72 273.24	0.00 0.00	273.24 0.00
034	345306	WELLS FARGO BANK	PRO	UNS 16.00		0.00 0.00	1,406.88 1,406.00	1,406.88 225.10	0.00 0.00	225.10 0.00
035	313651	WORLD FOREMOST BANK N	PRO	UNS 16.00		0.00 0.00	0.00 681.00	0.00 0.00	0.00 0.00	Not Filed
036	338827	MIDLAND FUNDING LLC U/L- SAMS CLUB- NO RSP TO NOI	PRO	UNS 16.00		0.00 0.00	8,525.54 0.00	8,525.54 1,364.09	0.00 0.00	1,364.09 0.00
037	338827	MIDLAND FUNDING LLC U/L- SAMS CLUB- NO RSP TO NOI	PRO	UNS 16.00		0.00 0.00	4,530.92 0.00	4,530.92 724.95	0.00 0.00	724.95 0.00
038	338827	MIDLAND FUNDING LLC U/L- TJX- NO RSP TO NOI	PRO	UNS 16.00		0.00 0.00	3,890.17 0.00	3,890.17 622.43	0.00 0.00	622.43 0.00
039	346085	VERIZON BY AMERICAN INFOSOURCE L UNLISTED- NO RSP TO NOI	PRO	UNS 16.00		0.00 0.00	135.14 0.00	135.14 21.62	0.00 0.00	21.62 0.00
040	PORT	PORTFOLIO RECOVERY ASSOCIATES UNLISTED-PAYPAL- NO RSP TO NOI	PRO	UNS 16.00		0.00 0.00	1,727.13 0.00	1,727.13 276.34	0.00 0.00	276.34 0.00
041	PORT	PORTFOLIO RECOVERY ASSOCIATES U/L- SLEEPY'S - NO RSP TO NOI	PRO	UNS 16.00		0.00 0.00	316.29 0.00	316.29 50.61	0.00 0.00	50.61 0.00
042	PORT	PORTFOLIO RECOVERY ASSOCIATES U/L- JCPENNY- NO RSP TO NOI	PRO	UNS 16.00		0.00 0.00	4,176.39 0.00	4,176.39 668.22	0.00 0.00	668.22 0.00
043	PORT	PORTFOLIO RECOVERY ASSOCIATES UNLISTED - HSN- NO RSP TO NOI	PRO	UNS 16.00		0.00 0.00	967.34 0.00	967.34 154.77	0.00 0.00	154.77 0.00
044	PORT	PORTFOLIO RECOVERY ASSOCIATES UNLISTED- BEST BUY- NO RSP TO NOI	PRO	UNS 16.00		0.00 0.00	4,072.91 0.00	4,072.91 651.67	0.00 0.00	651.67 0.00
045	PORT	PORTFOLIO RECOVERY ASSOCIATES U/L- GUITAR CENTER- NO RSP TO NOI	PRO	UNS 16.00		0.00 0.00	1,978.29 0.00	1,978.29 316.53	0.00 0.00	316.53 0.00
046	344309	QUANTUM3 GROUP LLC AS AGENT FOR U/L PROSPER FUNDING - NO RSP TO NOI	PRO	UNS 16.00		0.00 0.00	12,643.14 0.00	12,643.14 2,022.90	0.00 0.00	2,022.90 0.00
046A	343782	PROSPER MARKETPLACE CLAIM WITHDRAWN 5/23/2019	PRO-I	UNS 16.00		0.00 0.00	12,643.14 0.00	0.00 0.00	0.00 0.00	Closed

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Case Power® 12.5

INTERIM STATEMENT AS OF 06/10/2020

CASE NO: 18-14191-KHK

STATUS: BASE PLAN

DEBTOR: XXX-XX-6804

ALLEN JR., WILLIE JAMES

SCHEDULE: 1,125.00 MONTHLY

PLAN AND FILED CLAIMS

<u>CLAIM NO</u>	<u>CRED NO</u>	<u>CREDITOR NAME</u>		<u>DISB CODE</u>	<u>CLASS</u>	<u>INT. BEGIN</u>	<u>FIX PAY</u>	<u>ORG. CLAIM</u>	<u>APPROVED</u>	<u>PRIN. PAID</u>	<u>PRIN. DUE</u>
		<u>CLAIM REMARK</u>		<u>LAST DISB</u>	<u>PAY%</u>	<u>INT. RATE</u>	<u>ARREARS</u>	<u>SCHED AMT</u>	<u>TO BE PAID</u>	<u>INT. PAID</u>	<u>INT. DUE</u>
799	FISHER	NATHAN FISHER, ESQ.		PRO	ATY		0.00	3,500.00	3,000.00	884.34	2,115.66
				06/2020	100.00		0.00	3,500.00	3,000.00	0.00	0.00
		Trustee Administrative Fees							866.60	866.60	
					TOTALS:		437.00	111,266.46	111,633.06	13,322.50	36,642.22
							7,429.00	136,479.03	49,964.72	0.00	0.00
			ADMIN	ATTORNEY	PRIORITY	SECURED	UNSECURED	OTHER			
		SCHED AMOUNT:	0.00	3,500.00	11,571.56	22,780.19	98,627.28	0.00			
		CLAIM AMOUNT:	0.00	3,000.00	11,571.56	22,780.19	11,746.37	0.00			
		PAID BY TRUSTEE:	0.00	884.34	11,571.56	0.00	0.00	0.00			
		PAID BY 3rd PARTY:	0.00	0.00	0.00	0.00	0.00	0.00			
		SUB TOTAL:	0.00	2,115.66	0.00	22,780.19	11,746.37	0.00	DUE CREDITORS:		36,642.22
		INTEREST DUE:	0.00	0.00	0.00	0.00	0.00	0.00	EXPECTED ADMIN:		3,957.75
		CONTINUING:	0.00	0.00	0.00	0.00	0.00	0.00	LESS AVAILABLE:		1,022.50
		BALANCE DUE:	0.00	2,115.66	0.00	22,780.19	11,746.37	0.00	APPROX BALANCE:		39,577.47

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